



Appeal Decision

Site visit made on 4 May 2022

by N Praine BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 JUNE 2022

Appeal Ref: APP/L3625/D/21/3285743

Moorland House, Sandy Lane, Kingswood KT20 6NL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr George Ioannou against the decision of Reigate and Banstead Borough Council.
 - The application Ref 21/01414/HHOLD, dated 20 May 2021, was refused by notice dated 6 August 2021.
 - The development proposed is for extensions and refurbishment of the existing property as follows: ridge height increased, 2x rear facing box dormer windows, 1x front facing feature gable dormer entrance window, 2x front facing gable dormer windows, internal alterations, driveway amendments, front garden amendments, front boundary amendments and new vehicular access.
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Decision

1. The appeal is dismissed insofar as it relates to extensions and refurbishment of the existing property.
2. The appeal is allowed insofar as it relates to the remainder of the application and planning permission is granted for amendments to the driveway, front garden, front boundary and the new vehicular access at Moorland House, Sandy Lane, Kingswood KT20 6NL. In accordance with the terms of the application, Ref 21/01414/HHOLD, dated 6 August 2021, so far as relevant to that part of the development hereby permitted and subject to the conditions set out in the attached Schedule.

Preliminary Matters

3. The proposed amendments to the driveway, front garden, front boundary, and the new vehicular access works are not in dispute between the parties. They are clearly severable from the extensions and refurbishment of the existing property. Therefore, I intend to issue a split decision in this case and grant planning permission for the amendments to the driveway, front garden, front boundary, and the new vehicular access works.

Main Issue

4. The effect of the proposed development on the character and appearance of the area.

Reasons

5. Moorland House sits within the Kingswood Warren and the Glade Residential Area of Special Character (RASC). The RASC is characterised by large, properties set within verdant generous plots. Dwellings within the local area

have a degree of individuality, some are traditional in design and others are more modern.

6. Roof designs feature dormer windows, pitched roofs and flat roofs. Roof materials, however, are generally more traditional. While there is some variation to roof materials, brown roof tiles provide a degree of consistency in this part of the RASC.
7. The roof would be finished in slate, and I note that slate does already feature in the wider streetscape. However, within this part of Sandy Lane roof materials mostly comprise brown tiles reflecting the local distinctive Surrey Handmade tiles. In this regard brown tiles contribute positively to the special character of the area and nod to its past while not insisting on recreating the past. While there are slate roofs in the wider area, these detract from the special character of the area contributing to a gradual erosion of the arts and crafts character of the RASC.
8. While a balance between the historic character, contemporary design and individuality needs to be struck, for the reasons given above, slate is not a positive component of the special character or local distinctiveness of this area. Its use would have a significantly harmful effect on the character and appearance of the area.
9. I have considered if a condition wherein the main parties could agree the roof material prior to its construction could be imposed. However, I have not been provided with evidence that the appellant has considered alternative roof materials or that alternatives are even technically possible.
10. The front dormer windows and glazed gable would draw the eye to the roof, however, these would be symmetrically designed and set away from the proposed ridge. They would also be set away from the eaves. These design features would introduce an element of articulation by not occupying the whole width of the roof or extending up to the sides of the roof. For these reasons, if I set aside the harm of the slate materials, this part of the proposed development would add interest and subservience to the host building.
11. The overall height and scale of the proposed development would be complementary to the surrounding context particularly as Moorland House has a lower position within the road than neighbouring properties. Additionally, the individuality of the dwelling design would enable the increased glazing to not appear dominant or incongruous within the street scene.
12. The area is spacious, well landscaped and diverse in character, these features contribute toward its distinctiveness. Notwithstanding the slate roof materials, the proposed development would retain the spaciousness and landscaping. It would be individually designed, and this would contribute to the diversity and local distinctiveness of the RASC.
13. The rear element of the proposal would feature much larger dormer windows, which do not appear to be replicated elsewhere locally. These dormer windows would be generous in size, however, the bulk would be relieved by the central chimney, and the use of mixed materials including white render and timber cladding. These in combination would provide relief reducing the bulk of the rear dormer windows.

14. The flat roof of the rear dormer windows would also be set away from the ridge and eaves further reducing its impact. I am also mindful that these dormer windows are to the rear with very limited visual presence from Sandy Lane. Given the screening of the rear elevation from public vantage points, the proposed rear elevation would not have a negative impact on the RASC.
15. However, the proposed slate roof materials would harm the character and appearance of the area. Accordingly, I find conflict with the relevant provisions of Policies DES1 and DES3 of the Reigate & Banstead Local Plan Development Management Plan 2019, the Reigate and Banstead Borough Council Supplementary Planning Guidance, Householder Extensions and Alterations 2004 and the Reigate and Banstead Borough Council Local Character & Distinctiveness Design Guide Supplementary Planning Document 2021 which, amongst other things, seek to ensure that development is sympathetic to the character and appearance of the area.

Other matters

16. I have not been provided with compelling evidence, such as a certificate of lawful development, that the proposed change in roof tile would be possible under the General Permitted Development Order. In the absence of such evidence, this has limited bearing on my findings.
17. The appellant makes reference to other decisions which have been allowed for development, however, it is not clear in some of these decisions if slate was part of the original dwelling and the extensions matched this existing material or whether slate was introduced as a new material. Even if I accept that slate was previously found acceptable as a new material, the gradual introduction of this material has reached a saturation point where it has become a negative component of this area. The existence of harm is not a reason to continue recreating such harm further.

Conditions

18. Conditions 1 and 3 are required in the interests of certainty. Conditions 2 and 4 are necessary to ensure that the development would be in keeping with the character and appearance of the area. It is also necessary for condition 4 to be a pre-commencement condition as tree protection measures are required to be in place before any works begin on site.
19. I have not included the Council's suggested condition in relation to windows and rooflights as this part of the appeal is being dismissed and it is therefore not necessary.

Conclusion and Planning Balance

20. I note that neighbouring occupiers did not object to the application and the proposal would improve this family home for its occupiers. I am also mindful that the proposed development would improve both the vehicular access and hard and soft landscaping to the frontage of the dwelling. I have also found that the street facing dormer windows would add some interest to the frontage of the dwelling and parts of the proposed development would contribute to the individualism and local distinctiveness of the RASC. These benefits carry modest weight. However, the harm I have found in respect to slate as a roof material carries significant harm. This harm is not outweighed by these modest benefits either alone or in combination.

21. For the reasons given above, I conclude that the appeal should succeed in relation to the proposed amendments to the driveway, front garden, front boundary, and the new vehicular access. However, in relation to the extensions and refurbishment of the existing property, the appeal scheme would conflict with the development plan for the reasons I have given. There are no material considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. Those elements of the appeal should therefore be dismissed.

N Praine

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development shall be constructed in accordance with the materials as specified on the approved plans.
3. The development hereby permitted shall be carried out in accordance with the following approved plans in so far as they relate to the amendments to the driveway, front garden, front boundary, and the new vehicular access: Location Plan 711.00A, Site Layout Plan 711.10B and Street Scene 711.17C.
4. No development shall commence including groundworks preparation and demolition, until all related arboricultural matters, including arboricultural supervision, monitoring and tree protection measures are implemented in strict accordance with the approved details contained in the Arboricultural report which includes an arboricultural method statement and tree protection plan compiled by Arbconsultancy, reference 20 1888, dated 23rd October 2020.